

FAVORABLE PAY ALMOY RAISES A MONEY QUESTION

Chancellor Peres to Decide
Point Presented by Jesse
Edgington—Says Jail
Sentence Would Violate Act.

Whether or not the state courts can imprison a man for failure to pay permanent alimony to his divorced wife is a question that is soon to be decided by Chancellor Peres in the case of Laura Mae Bond against George W. Bond. The case is now under advisement by the court and his decision is expected to have a far-reaching effect throughout the state.

In this case a decree was entered some time ago against George W. Bond for \$50 per month permanent alimony. He had no estate and upon his failure to keep up the payments, Laura Mae Bond filed a petition in Chancellor Peres' court asking that Bond be adjudged in contempt of court because of his failure to pay the \$50 per month designated in the decree and that he be confined in jail until he complied with the decree.

Jesse Edgington, representing George W. Bond, in his argument to Chancellor Peres declared that the decree was a violation of the constitution of the state of Tennessee which provides that:

"The legislature shall pass no law authorizing imprisonment for debt in civil cases."

Judge Edgington took the position that this was strictly a civil case and that the constitution clearly means that there must be no imprisonment for debt in this case. When a liability of a certain sort is reduced to a judgment or decree, he contended, it is popularly called a debt, no matter what its origin or antecedent history may be.

"The decree was only left open," Judge Edgington said, "so that the collection of the judgment could be enforced by execution if the sums were not paid monthly and the question of jailing Bond for contempt was not left open nor could it be done."

He pointed out the difference between imprisonment for contempt for failure to pay temporary alimony and permanent alimony because in the matter of temporary alimony the court has the parties before it and grants such orders as are necessary for the proper preparation of the case as the facts then submitted warrant and it is the duty of the court to enforce all such orders by all possible means and it is a mere order of court and not a final judgment.

"Where permanent alimony is fixed," Judge Edgington declared, "and the court provides a means for collecting it by execution, the case can not be reopened and other means adopted for collecting the judgment. The case is ended and the decree final for all purposes except the collection of the debt due the complainant by execution as directed by the court."

"Under the laws of Tennessee judgments of this character can be collected out of any future estate of the defendant but they must be collected by execution inasmuch as they are final judgments."

"The only case in Tennessee," he said further, "where the defendant has been jailed for contempt for failure to pay alimony are those where there was failure to pay temporary alimony as ordered by the court and there is no contempt for failure to pay a final decree. An execution can be issued for each installment as it falls due but it would be a violation of the constitution to imprison him."

Chancellor Peres will render a decision in this matter in the near future and the effect of it will be felt throughout the state. There are some 40 or more persons paying permanent alimony into the chancery court and others in the circuit court.

ROTARY OFFICIALS TALK 1920 PLANS

Plans for 1920 will be discussed by Rotary club officials Wednesday night when a dinner and conference will be held at White's Cafe, according to announcement by Fred Beneke, reformer newspaper man, who recently took office as secretary of the organization. The regular weekly meeting scheduled for Tuesday was postponed on account of the flu situation.

TWO JOIN MARINES

Frederick R. Rightmire, 4184 South Main street, and Morris P. "Pop" Monday night for Paris Island, S. C. having enlisted in the marine corps.

BIRTHS

Giles A. and Cora S. Daniels, 290 North Deatur, Jan. 22, boy.
James I. and Bettie A. Gammon, 107 Huling Jan. 24, and Bettie A. Gammon, 107 Huling Jan. 24, boy.
Jack and Alice Belle Walle, General hospital, 216 Court, Jan. 24, boy.
J. H. and Luella Townsend, 1368 Breodrive, Jan. 24, girl.
William S. and Amanda K. Taylor, 1514 Taylor, Jan. 26, girl.

MARRIAGE LICENSES

J. D. Morehead to Nell E. Bevan, Office of the Clerk of the Court, 1000 Main street, Jan. 24, 1932.
Lew Griffin to Cora Graham, Barney Leakey to Anne Kaitovits, W. D. Gray to Lucie Clemens, P. P. McManis to Mary Sue Walker, T. A. Smith to Minnie S. Snowden, J. Oursler to Irene Garrett.
T. A. Allen to Azalea Frye, Lou Williams to Bettie Sims, Featherstone Hamilton to Fannie Lee, James Robinson to Beatrice McLean, George Crawford to Julia Rice, Bennie Flier to Viola Allen, Robert Benke to Margie Clements, Jack Backster to Alberta Woodman, James Petty to Emma Barton, Joseph Belts to Sue Smith, George Smith to Emma Nell Ableson, Ervin Dunlap to Laurette McDawson, John Jackson to Ida Hudson, John Shellman to Maude Fuller, Willie Clay to Rebecca Donnell, Sam Wilson to Essie Mack, William Mayes to Daisy Holmes, Andrew Johnson to Catherine Acocci, Haywood Harris to Katie Perle, George Marshall to Bertha Reed, Charley Young to Ora Lee Edwards, Glenn Mathison to Mary Rose.

DEATHS

Mrs. Grace Veal, St. Joseph's hospital, Feb. 2, age 29 years, shock from operation.
John Kirkland, 334 Johnson place, Feb. 2, age 60 years, pneumonia.
John D. Holloman, 1600 Chelsea, Feb. 1, age 48 years, diabetes.
Joseph Charles Patrick, 639 Philadelphia, Feb. 2, age 44 years, nephritis.
Richard J. Hancock, St. Joseph's hospital, Feb. 1, age 45 years, influenza.
Ralph Cartwright, Baptist hospital, Feb. 1, age 9 years, fractured skull.
Mrs. Mary C. Young, 553 South Cox, Jan. 29, age 71 years, Bright's disease.
Benjamin H. Whitley, 874 Elizabeth place, Jan. 30, age 62 years, nephritis.
Mrs. Alice Augusta Pearson, St. Joseph's hospital, Strayhorn, Miss. Jan. 30, age 53 years, shock from operation.
Ben H. Leath, 536 Arkansas, Jan. 27, age 21 years, asthma.
Mrs. Dora Malley, 829 Jefferson, Jan. 30, age 46 years, pneumonia.
Lavertie Fickett, General hospital, Jan. 24, age 9 months, colitis.
Wyatt Weaver, 238 South Driver, Feb. 1, age 62 years, pneumonia.
Lew Sherrod, Shelby County Poorhouse, Jan. 31, age 60 years, nephritis.
Louis Thompson, Marine hospital, Jan. 31, age 38 years, tuberculosis.
Charley Lee, 174 Carolina, Jan. 30, age 41 years, myocarditis.
Clara Alexander, Jane Terrell hospital, Jan. 23, age 33 years, intestinal obstruction.
Nelson White, 1018 Texas, Jan. 31, age 50 years, pneumonia.
Charles Walker, 288 South Wellington, Jan. 28, age 65 years, unknown.
George Washington, General hospital, Jan. 24, 5 months, endocarditis.
Baby Jones, General hospital, Jan. 29, age 17 days, pertussis.
Lucy Winton, 429 Howe place, Jan. 26, age 26 years, pneumonia.

SHRINERS ENTERTAIN HIGH OFFICIAL OF MYSTIC ORDER



W. FREELAND KENDRICK.

W. Freeland Kendrick, Imperial Potentate of the Ancient Arabic Order Nobles of the Mystic Shrine, accompanied by Mrs. Kendrick and a party of prominent Shriners, received Memphis early Tuesday from New Orleans. They were met at the station by local Shriners and accompanied to the Hotel Chimes where Memphis Shriners met the Imperial Potentate informally.

At 1:30 o'clock today the party were taken to the Country club where a luncheon was served. During the afternoon an automobile ride over the city will be given the visiting Shriners.

Mr. Kendrick holds the highest Masonic office in North America and has for many years been prominently identified with Masonry throughout the nation. His home is in Philadelphia and he served as Potentate of Lulu temple of that place, for 13 years.

An elaborate program of entertainment had been arranged by members of Al Chymia temple, of Memphis, upon the occasion of Mr. Kendrick's visit but these plans were abandoned owing to the threatened influenza epidemic.

The party will leave Memphis tonight for Chattanooga.

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ORGANIZE KIWANIS CLUB AT BRISTOL

BRISTOL, Tenn., Feb. 2 (AP)—The Bristol Kiwanis club, an international organization of business and professional men of the city, has been organized. George A. Ziegler of Knoxville, Tenn., 2000 representative of Tennessee, North Carolina and South Carolina, was here and assisted in organizing the club.

Mr. Ziegler states that he has organized 14 clubs during the past several months and the Bristol and Johnson City are the thirteenth and fourteenth respectively of these clubs. The Bristol club will hold its first meeting on Friday at the chamber of commerce headquarters on Fifth street.

ESTATE WAITING.

There is a nine share of a \$200,000 estate awaiting Mrs. R. M. Howland, who is supposed to be a member of the First Presbyterian church here.

Joseph E. Myers, Nashville, has written in the chief of police, asking that officers locate his sister, who he says is 78 years old. Another sister recently died and left \$20,000, and he wishes to find Mrs. Howland so the estate may be settled.

POSTPONE RECITALS.

The influenza situation has caused a postponement of piano recitals at Goodwyn institute astuary, in which Arne Knudsen and Carl Becker were to have been featured. Officials of the musical bureau in charge of the recital announced that these two artists will appear in April.

M'CALL BACK SOON.

Judge John E. McCall of the United States district court, is expected to return to Memphis the first of next week from Knoxville, where he is holding court.

ENTERPRISES COMPANY PAYS DESPITE BAN

Full pay last week and money for the children were paid by the Enterprises company to the family of a man who had been in the city for some time. The company is known for its generosity and has been helping many families in need.

ALCOHOL THIEVES MISS INTENDED LOOT

The burglars had a narrow escape from a party of men who were watching them. They were caught in the act of stealing alcohol from a store.

EASES A COLD WITH ONE DOSE

"Pape's Cold Compound" Then Breaks Up a Cold in a Few Hours.

Relief comes instantly. A dose taken every two hours until three doses are taken usually breaks up a severe cold and ends all the aching misery.

The very first dose gives you relief. It breaks up colds and the air passages in the head, stops runny noses, relieves the headache, dullness, feverishness, sneezing, soreness and stiffness.

Don't stay stuffed up! Quit blowing and sniffling! Clear your congested head! Nothing else in the world gives such prompt relief as "Pape's Cold Compound," which costs only a few cents at any drug store.

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You lose no time when you use Dr. Bell's Pine-Tar-Honey.

COSEN that hard-packed phlegm. Ease that labored breathing. Alay that distressing inflammation. Get rid of that hoarseness, that constant coughing, that irritating throat-tickle. Freedom from these unpleasant things is what Dr. Bell's Pine-Tar-Honey helps promote.

And it is safe for anybody from kiddies to grandmas. Its ingredients are noted for their healing, antiseptic properties. Thousands of users would never consider a substitute. Economical. A bottle in your medicine cabinet is playing safe. 30c., 60c., \$1.20.

Four 25c. vials of Pinex in a pint bottle, then add one with plain granulated sugar syrup. Or use clarified molasses, honey, or corn syrup, instead of sugar syrup, if desired. Thus you make a full pint—a family supply—out costing no more than a small bottle of ready-made cough syrup.

And as a cough medicine, there is really nothing better to be had at any price. It goes right to the spot and gives quick, lasting relief. It promptly seals the inflamed membranes that line the throat and air passages, stops the annoying throat tickle, loosens the phlegm, and soon your rough stops entirely. Splendid for bronchitis, croup, hoarseness and bronchial asthma.

Pinex is a highly concentrated compound of Norway pine extract, famous for its healing effect on the membranes.

To avoid disappointment ask your druggist for "25 ounces of Pinex" with directions and don't accept anything else. Guaranteed to give absolute satisfaction or money refunded. The Pinex Co., Ft. Wayne, Ind.

Dr. Bell's Pine-Tar-Honey for Coughs and Colds

PODOX is a Family Medicine

Effectively removes accumulated waste matter and puts the liver in healthful action. Good for every member of your family. M.D. Pleasant. Po-Do-Lax thoroughly cleanses the system and regulates the bowels. 60c. Druggists

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